

## STROOCK

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TO	COMPANY NAME	FAX NO.	PHONE NO.
Examiner Michael Nghiem	USPTO	703-308-5841	703-306-3445

TOTAL NO. OF PAGES

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MESSAGE

Examiner Nghiem,

As per our phone conversation, I am forwarding a courtesy copy of this previously mailed Amendment AF.

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The information contained in this facsimile is privileged and confidential, and is intended only for the use of the individual named above and others who have been specially authorized to receive such. If the recipient is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, or if any problems occur with this transmission, please notify us by telephone at 212 806-6102.

**RESPONSE UNDER 37 C.F.R. 1.116**  
**EXPEDITED PROCEDURE**  
**EXAMINING GROUP 2861**

Docket No.  
4485 63/0163  
LR:DLS:JFD

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Minoru Usui et al.

Art Unit: 2861

Application No.: 09/312,073

Examiner: M. Nghiem

Filed: May 13, 1999

For: INK CARTRIDGE FOR INK-JET PRINTING APPARATUS

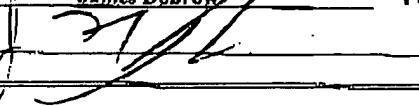
Date: February 19, 2002

**AMENDMENT AFTER FINAL REJECTION**

Commissioner for Patents  
Box AF  
Washington, D.C. 20231

Sir:

In reply to the Office Action of the United States Patent and Trademark Office mailed on October 17, 2001, the time for response to which is extended up to and including February 19, 2002, by a petition for a one-month extension of time submitted herewith (February 17th falling on a Sunday, and February 18th being a National Holiday), applicants respectfully request consideration and entry of the following revisions and remarks.

Certificate of Mailing (37 C.F.R. 1.8)	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on (Date) <u>February 19, 2002</u> .	
Typed or printed name of person signing this certificate: <u>James Dobrow</u>	
Signature:	

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**IN THE CLAIMS**

Please cancel claim 91 without prejudice to or disclaimer of the subject matter presented therein.

Please amend claims 36, 42, 47, 62, 65, 68, 73, 88, 89 and 90 as follows.

36. (Twice Amended) An ink cartridge for an ink jet printer, comprising:  
a housing containing ink;  
an ink supply port formed on a wall of said housing at an offset position; and  
at least one engaging recess formed in the wall of said housing adjacent to and apart from said ink supply port, said engaging recess being engageable with a projecting member of the printer when the ink cartridge is mounted on the printer, wherein the engaging recess and the projecting member of the printer align the ink supply port with an ink supply needle of the printer prior to the insertion of the ink needle into the ink supply port.

42. (Twice Amended) An ink cartridge for an ink jet printer comprising  
a housing containing ink;  
an ink supply port formed on a wall of said housing at an offset position; and  
at least one engaging recess formed in the wall of said housing adjacent to and apart from said ink supply port, said engaging recess being engageable with a projecting member of the printer when the ink cartridge is mounted on the printer, wherein the engaging recess and the projecting member of the printer align the ink supply port with an ink supply needle of the

printer prior to the insertion of the ink needle into the ink supply port, wherein said engaging recess comprises an odd number of engaging recesses.

47. (Twice Amended) An ink cartridge for an ink jet printer comprising:

a housing containing ink;

an ink supply port formed on a wall of said housing; and

at least one engaging recess formed in the wall of said housing adjacent to and apart from said ink supply port, said engaging recess being engageable with a projecting member of the printer when the ink cartridge is mounted on the printer, wherein the engaging recess and the projecting member of the printer align the ink supply port with an ink supply needle of the printer prior to the insertion of the ink needle into the ink supply port, wherein said engaging recess is rectangular in cross section.

62. (Twice Amended) An ink jet printer, comprising:

a carriage, said carriage having a projecting member and an ink supply needle extending therefrom;

a print head including a plurality of nozzles through which ink is ejected mounted on said carriage;

an ink cartridge, said ink cartridge being mounted on the carriage and, said ink cartridge comprising:

a housing having at least one wall;

an ink supply port formed on the wall of said housing at an offset position; and

at least one engaging recess formed in the wall of said housing adjacent to said ink supply port, said engaging recess being engageable with the projecting member of the printer when the ink cartridge is mounted on the carriage wherein the engaging recess and the projecting member of the printer align the ink supply port with the ink supply needle prior to insertion of the ink needle into the ink supply port.

65. (Thrice Amended) The printer of claim 64, wherein said abutment member includes a part of said wall of said housing where said engaging recess is not formed.

68. (Thrice Amended) An ink jet printer, comprising:

a carriage, said carriage having a projecting member and an ink supply needle extending therefrom;

a print head including a plurality of nozzles through which ink is ejected mounted on said carriage;

an ink cartridge, said ink cartridge being mounted on the carriage and, said ink cartridge comprising:

a housing having at least one wall;

an ink supply port formed on the wall of said housing; and

at least one engaging recess formed in the wall of said housing adjacent to said ink supply port, said engaging recess being engageable with the projecting member of the printer when the ink cartridge is mounted on the carriage wherein the engaging recess and the projecting member of the printer align the ink supply port with the ink supply needle prior to insertion of the ink needle into the ink supply port, wherein said engaging recess comprises an odd number of engaging recesses.

73. (Thrice Amended) An ink jet printer, comprising:

a carriage, said carriage having a projecting member and an ink supply needle extending therefrom;

a print head including a plurality of nozzles through which ink is ejected mounted on said carriage;

an ink cartridge, said ink cartridge being mounted on the carriage and, said ink cartridge comprising:

a housing having at least one wall;

an ink supply port formed on the wall of said housing; and

at least one engaging recess formed in the wall of said housing adjacent to said ink supply port, said engaging recess being engageable with the projecting member of the printer when the ink cartridge is mounted on the carriage wherein the engaging recess and the projecting member of the printer align the ink supply port with the ink supply needle prior to insertion of the ink needle into the ink supply port, wherein said engaging recess is rectangular in cross section.

88. (Twice Amended) The ink jet printer of claim 87, wherein said engaging recess is engageable after said film is removed.

89. (Twice Amended) The ink jet printer of claim 87, further comprising a mounting lever mounted on the carriage wherein the member of the carriage comprises a projection projecting from the mounting lever.

90. (Amended) The ink jet printer of claim 88, wherein plural number of said recesses are formed in the outer surface of said lid.

**R E M A R K S**

This Amendment is submitted in response to the outstanding Office Action dated October 17, 2001, wherein the Examiner allowed claims 15-23, 48-61 and 87-90, withdrew claim 91 from consideration and rejected claims 36-39, 41, 43, 46, 62-65, 67, 69, 72, 84 and 86. Claims 42, 44, 45, 47, 68, 70, 71, 73, 83 and 85 were objected to only as being dependent upon rejected base claims, and the Examiner said these claims would be allowable if suitably rewritten in independent form. Claims 15, 36, 42, 47, 57, 58, 62, 68 and 87 are independent.

Attached hereto as pages 10-13 is a marked-up version of the changes made to the claims by the current amendment. The first of these attached pages is captioned "Version With Markings to Show Changes Made."

**Allowed Claims:**

Applicants note with appreciation that claims 15-23, 48-61 and 87-90 have been allowed by the Examiner, and that claims 42, 44, 45, 47, 68, 70, 71, 83 and 85 have been found to contain allowable subject matter.

Dependent claims 88-90 have been revised to recite an ink --jet printer—instead of an ink [cartridge] to clarify the antecedent basis in the claims.

**Election/Restriction:**

Applicants acknowledge that the Examiner has withdrawn claim 91 from consideration as being directed to a non-elected invention. By this Amendment, Applicants have canceled claim 91 without prejudice to, or disclaimer of, the subject matter therein.

**The Claim Objections:**

The Examiner objected to claim 65 due to an informality. By this Amendment, Applicants have suitably amended claim 65 to attend to the point noted by the Examiner.

Accordingly, favorable reconsideration and withdrawal of this objection are respectfully requested.

The Examiner objected to claims 42, 44, 45, 47, 68, 70, 71, 73, 83 and 85 as being otherwise allowable except for being dependent upon rejected claims. By this Amendment, Applicants have placed claims 42, 47, 68 and 73 into independent form. Accordingly, Applicants submit that claim 42, and claims 44, 45 and 83 depending therefrom, claim 47, claim 68 and claims 70, 71 and 85 depending therefrom, and claim 73 are in condition for allowance. Accordingly, favorable reconsideration and withdrawal of this objection are respectfully requested.

**The Rejections Under  
35 U.S.C. § 102**

Claims 36-39, 41, 43, 46, 62-65, 67, 69, 72, 84 and 86 have been rejected under 35 U.S.C. § 102(a) as being anticipated by EP Patent Publication No. EP 516088 to Mochizuki et al. ("Mochizuki").

Claim 36 as amended is directed to an ink cartridge including a housing, an ink supply port formed at an offset position, and an engaging recess formed in the wall of the housing, adjacent to, and apart from the ink supply port. By this Amendment, Applicants have revised the claim to recite that the ink supply port is formed at an offset position.

Claim 62, as amended, recites an ink jet printer having an ink cartridge similar, for the purpose of this response, to that of claim 36, with an ink supply port in an offset position.

The cartridge of Mochizuki includes a flexible bladder within a rigid housing. The cartridge may be received by a printer (see Mochizuki, FIG. 4). Mochizuki discloses an ink cartridge having an ink supply port centered on the cartridge (see Mochizuki, FIG. 1).

Whereas claims 36 and 62, as amended, recite an ink supply port formed at an offset position, Mochizuki, in contrast, discloses an ink supply port that is centered on the cartridge.

Under § 102, an invention can only be anticipated by a reference which identically discloses every feature of the claimed invention. In re Bond, 910 F.2d 831, 832, 15 USPQ2d 1566, 1567 (Fed. Cir. 1990); see also Atlas Powder co. v. E.I. DuPont de Nemours & Co., 750 F.2d 1569, 1574 (Fed. Cir. 1984).

Accordingly, Mochizuki does not anticipate Applicants' invention because it does not disclose an ink supply port at an offset position.

Applicant further submits that claims 37-39, 41, 43 and 46, depending from claim 36, and claims 63-65, 67, 69 and 72, depending from claim 62, are allowable at least for the same reasons as their respective base claims.

For the foregoing reasons, the claimed invention is neither disclosed in nor suggested by the cited art. Accordingly, favorable reconsideration and withdrawal of this rejection are respectfully requested.

CONCLUSION

Applicants have made a diligent effort to place this application in condition for allowance and submit that the claims are in condition for allowance. If for any reason, however, the Examiner should deem that this application is not in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below to resolve any outstanding issues prior to issuing a further Office Action.

Early and favorable action is respectfully requested.

Respectfully submitted,

*FDR*

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

36. (Twice Amended) An ink cartridge for an ink jet printer, comprising:

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an ink supply port formed on a wall of said housing at an offset position; and

at least one engaging recess formed in the wall of said housing adjacent to and apart from said ink supply port, said engaging recess being engageable with a projecting member of the printer when the ink cartridge is mounted on the printer, wherein the engaging recess and the projecting member of the printer align the ink supply port with an ink supply needle of the printer prior to the insertion of the ink needle into the ink supply port.

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a housing containing ink;

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at least one engaging recess formed in the wall of said housing adjacent to and apart from said ink supply port, said engaging recess being engageable with a projecting member of the printer when the ink cartridge is mounted on the printer, wherein the engaging recess and the projecting member of the printer align the ink supply port with an ink supply needle of the printer prior to the insertion of the ink needle into the ink supply port [The ink cartridge of claim 36], wherein said engaging recess comprises an odd number of engaging recesses.

47. (Twice Amended) An ink cartridge for an ink jet printer comprising:

a housing containing ink;

an ink supply port formed on a wall of said housing; and

at least one engaging recess formed in the wall of said housing adjacent to and apart from said ink supply port, said engaging recess being engageable with a projecting member of the printer when the ink cartridge is mounted on the printer, wherein the engaging recess and the projecting member of the printer align the ink supply port with an ink supply needle of the printer prior to the insertion of the ink needle into the ink supply port [The ink cartridge of claim 36], wherein said engaging recess is rectangular in cross section.

62. (Twice Amended) An ink jet printer, comprising:

a carriage, said carriage having a projecting member and an ink supply needle extending therefrom;

a print head including a plurality of nozzles through which ink is ejected mounted on said carriage;

an ink cartridge, said ink cartridge being mounted on the carriage and, said ink cartridge comprising:

a housing having at least one wall;

an ink supply port formed on the wall of said housing at an offset position; and

at least one engaging recess formed in the wall of said housing adjacent to said ink supply port, said engaging recess being engageable with the projecting member of the printer when the ink cartridge is mounted on the carriage wherein the engaging recess and the projecting member of the printer align the ink supply port with the ink supply needle prior to insertion of the ink needle into the ink supply port.

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68. (Thrice Amended) An ink jet printer, comprising:

a carriage, said carriage having a projecting member and an ink supply needle extending therefrom;

a print head including a plurality of nozzles through which ink is ejected mounted on said carriage;

an ink cartridge, said ink cartridge being mounted on the carriage and, said ink cartridge comprising:

a housing having at least one wall;

an ink supply port formed on the wall of said housing; and

at least one engaging recess formed in the wall of said housing adjacent to said ink supply port, said engaging recess being engageable with the projecting member of the printer when the ink cartridge is mounted on the carriage wherein the engaging recess and the projecting member of the printer align the ink supply port with the ink supply needle prior to insertion of the ink needle into the ink supply port [The printer of claim 62], wherein said engaging recess comprises an odd number of engaging recesses.

73. (Thrice Amended) An ink jet printer, comprising:

a carriage, said carriage having a projecting member and an ink supply needle extending therefrom;

a print head including a plurality of nozzles through which ink is ejected mounted on said carriage;

an ink cartridge, said ink cartridge being mounted on the carriage and, said ink cartridge comprising:

a housing having at least one wall;

an ink supply port formed on the wall of said housing; and

at least one engaging recess formed in the wall of said housing adjacent to said ink supply port, said engaging recess being engageable with the projecting member of the printer when the ink cartridge is mounted on the carriage wherein the engaging recess and the projecting member of the printer align the ink supply port with the ink supply needle prior to insertion of the ink needle into the ink supply port [The printer of claim 62], wherein said engaging recess is rectangular in cross section.

88. (Twice Amended) The ink jet printer [cartridge] of claim 87, wherein said engaging recess is engageable after said film is removed.

89. (Twice Amended) The ink jet printer [cartridge] of claim 87, further comprising a mounting lever mounted on the carriage wherein the member of the carriage comprises a projection projecting from the mounting lever.

90. (Amended) The ink jet printer [cartridge] of claim 88, wherein plural number of said recesses are formed in the outer surface of said lid.